

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

A 2023 DODGE CHALLENGER,  
BEARING VIN: 2C3CDZFJ0PH511708,  
WITH ALL APPURTENANCES AND  
ATTACHMENTS THEREON,

Defendant.

2024 APR -3 P 1:17

TREY GRANGER, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

CIVIL ACTION NO. 2:24-cv- 211-MHT-JTA

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM***

The United States of America (hereinafter, "United States") brings this Complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

**NATURE OF THE ACTION**

1. This is a civil action *in rem* brought pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(C), for forfeiture of a 2023 Dodge Challenger, VIN: 2C3CDZFJ0PH511708, with all appurtenances and attachments thereon, for violations of 21 U.S.C. § 841(a)(1) (drug distribution).

**THE DEFENDANT *IN REM***

2. The defendant consists of a 2023 Dodge Challenger, VIN: 2C3CDZFJ0PH511708, with all appurtenances and attachments thereon. The defendant is currently in the possession of the United States Marshals Service.

**JURISDICTION AND VENUE**

3. The United States brings this action *in rem* in its own right to forfeit and condemn the defendant. This Court has subject matter jurisdiction over an action commenced by the United

States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court also has jurisdiction over this particular action under 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(C).

4. This Court has *in rem* jurisdiction over the defendants under 28 U.S.C. § 1355(b) because the acts or omissions giving rise to the forfeiture occurred in this district. Upon the filing of this complaint, the plaintiff requests that the Clerk of Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b)(i), which the plaintiff will execute upon the defendant pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1355 and 1395, because the acts or omissions giving rise to the forfeiture occurred in this district and the property is located in this district.

6. The defendant, as described above, is now, and during the pendency of this action will be, in the jurisdiction of this Court and is located in the Middle District of Alabama.

#### **BASIS FOR FORFEITURE**

7. The defendant is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6) and 18 U.S.C. § 981(a)(1)(C), which provide for the seizure and forfeiture of all moneys, negotiable instruments, securities, or other things of value furnished, or intended to be furnished, by any person in exchange for a controlled substance or listed chemical; all proceeds traceable to such an exchange; all moneys, negotiable instruments, and securities used or intended to be used to facilitate the commission of the offenses; any property, real or personal, which constitutes or is derived from proceeds traceable to the offenses; and any property, real or personal, used to facilitate violations of 21 U.S.C. § 841.

**FACTS**

8. The facts and circumstances supporting the seizure of the defendant are as follows:

a. On September 7, 2023, deputies from the Elmore County Sheriff's Office (ECSO) were dispatched to 102 Clay Lane, Elmore, Alabama in reference to a suspicious vehicle reportedly about to make a drop (smuggle drugs) into the prisons located in the Elmore, Alabama area (Elmore Correctional Facility, Draper Correctional Facility, and Staton Correctional Facility).

b. ECSO Deputies Edward Oliver and William Coffel responded to the address at approximately 2:00 a.m. and made contact with two males in a gray Dodge Challenger, bearing Alabama registration LASN0T. Deputies Oliver and Coffel also observed a maroon 2023 Dodge Challenger, bearing Mississippi registration P770N3 ("defendant vehicle") occupied by four males.

c. As the deputies began gathering the subjects' identifying information, they smelled the odor of burnt marijuana emitting from the defendant vehicle. The backseat passenger, Antonio Terry, voluntarily gave the deputies a plastic baggie containing suspected marijuana. All subjects were asked to step out of both vehicles, and they all complied.

d. As the deputies were gathering information, an unidentified subject fled from the gray Dodge Challenger carrying two book bags. Additionally, a subject (later identified as Jamarkus Hood ("Hood")) fled from the defendant vehicle. Deputy Oliver gave chase to Hood but was unsuccessful. Deputy Coffel did not chase the unidentified subject, due to having to control the scene.

e. Once Deputy Oliver returned to the scene, a probable cause search was conducted on the defendant vehicle, and the remaining passengers, Courtney Lowe ("Lowe"), Antonio Terry ("Terry"), and Cameron Ledbetter ("Ledbetter") were detained. In the defendant

vehicle, Deputy Oliver located a book bag containing three vacuum sealed bags of suspected marijuana, two bags containing a white crystalized substance believed to be methamphetamine, two bags containing suspected synthetic cannabis, and assorted items believed to be prison contraband wrapped in shrink wrap (telephones, phone cords, charging ports, etc.). Deputy Oliver also located two plastic baggies in the trunk of the subject vehicle containing suspected ecstasy pills. Lowe, Terry, and Ledbetter were taken to the Elmore County Jail and turned over to the Elmore County Jail staff for booking.

f. On September 7, 2023, Drug Enforcement Administration (“DEA”) Task Force Officer (“TFO”) Jacob L. Boddie and Elmore County Drug Task Force (“ECDTF”) Agent AJ Carr conducted a mirandized recorded interview with Terry. During the interview, Terry advised Agents that he believed that he and the others were traveling from Columbus, Mississippi to Wind Creek Casino located in Wetumpka, Alabama.

g. While in route to the casino, Hood told Terry that he had to meet someone in Elmore, Alabama to pick up something for his brother. Terry stated they met with the subject in the gray Dodge Challenger for Hood's brother and the unidentified male gave Hood approximately three to four (3-4) bookbags. Terry further advised that Hood was the owner of the defendant vehicle. Terry also informed agents that the subject that fled the scene from the defendant vehicle was in fact Jamarkus Hood and confirmed that information by identifying the Hood from a recent photograph on social media. Terry told agents that he grew up with Hood and associates with him on a daily basis.

h. On September 8, 2023, ECDTF Agent Carr provided a photograph of Jamarkus Hood to ECSO Deputy Oliver, who positively identified Hood as the subject that ran from the defendant vehicle the night before. Deputy Oliver later secured state warrants on Hood

for Attempting to Elude and Drug Trafficking. The state warrants were sent to the United States Marshal Service ("USMS").

i. On September 9, 2023, Terry requested to speak with Agent Carr and TFO Boddie. Agent Carr and TFO Boddie conducted another mirandized and recorded interview with Terry, at which time Terry gave consent to search his phone. Terry provided more information on Hood to include his current phone number. Terry further stated that Hood's brother is currently incarcerated with the Alabama Department of Corrections but was unaware of the items located inside the bookbag and Hood's intentions with the bags.

j. On September 22, 2023, Hood was taken into custody in Columbus, Mississippi, and on October 11, 2023, he was transported to ECSO, where he was charged with violations of Alabama Criminal Code 13A-012-231(6) (Trafficking - 3,4-methylenedioxy amphetamine), Alabama Criminal Code 13A-012-231(1) (Trafficking - Marijuana), Alabama Criminal Code 13A-012-231(11) (Trafficking - Methamphetamine), Alabama Criminal Code 13A-012-231(12) (Trafficking - Synthetic Drugs), and Alabama Criminal Code 13A-010-052 (Attempting to Elude) relating to the September 7, 2023 incident that is the basis for this civil forfeiture action. Hood has since been released on bond.

k. On October 10, 2023, TFO Boddie received a copy of the registration information for the defendant vehicle from the Mississippi Department of Motor Vehicles ("DMV"). The DMV information stated that Hood was the sole registered owner of the defendant vehicle as of January 1, 2023. There are no liens attached to the Mississippi registration. Furthermore, a law enforcement database utilizing Carfax shows the vehicle was purchased in January 2023 from Carl Hogan GM Dodge and Jeep in Columbus, Mississippi.

l. On October 12, 2023, Agent Carr and TFO Boddie conducted a mirandized



and recorded interview with Hood at the Elmore County Jail. During the interview, Hood admitted that he was the subject who fled from the defendant vehicle on September 7, 2023. Hood stated that he ran because he was scared and because of the bags. While Hood alleged Lowe was actually the person who was to collect the book bags, he admitted two or three bags were put inside the defendant vehicle.


m. On October 16, 2023, Chief United States Magistrate Judge Stephen M. Doyle authorized a federal seizure warrant for the defendant vehicle as property used to facilitate drug trafficking. On October 19, 2023, TFO Boddie and TFO Kyle Gray, executed the seizure warrant and seized the defendant vehicle from the from Hood's mother, Charlene Gibbs.

**CLAIM FOR RELIEF**

WHEREFORE, the United States prays that the defendant be condemned and forfeited to the United States as property used to facilitate drug trafficking, that the United States be awarded its costs and disbursements in this action, and for such other and further relief as the Court deems proper and just.

Respectfully submitted this 3rd day of April, 2024.

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